

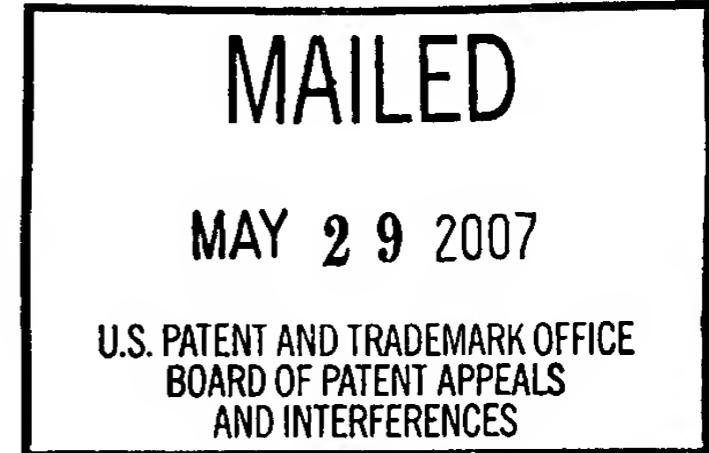
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte LARRY A. SKLAR, TIONE BURANDA, BRUCE S. EDWARDS,
CARLOS M. GALLEGOS, W. COYT JACKSON, FREDERICK W. KUCKUCK,
GABRIEL P. LOPEZ, and ANDREA A. MAMMOLI

Appeal 2007-1030
Application 10/021,243
Technology Center 1600

REMAND TO THE EXAMINER



This Image File Wrapper (IFW) application was electronically received at the Board of Patent Appeals and Interferences on January 17, 2007. A review has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being remanded to the Examiner. The matter requiring attention is identified below.

EXAMINER'S ANSWER
REFERENCE CLARIFICATION

An Examiner's Answer was mailed on July 28, 2006. The sections entitled "Evidence Relied Upon" and "Grounds For Rejection To Be Reviewed On Appeal" both cite the name of an inventor that does not correspond with either one

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of the reference numbers identified. It is noted that the cited inventor “Knapp” does not correspond with the cited reference numbers 471685 or 6,235,685.

EVIDENCE RELIED UPON

In the Evidence Relied Upon (Section 8), the reference identified as “Knapp et al.” is associated with a number identified as “471685” (see p. 3). The named inventor and the serial number do not correspond with one another.

Correction is required.

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

In the Grounds of Rejection for Review (Section 9), the Examiner applies the rejection of Claim 48 under 35 USC 103(a) as being unpatentable over Verrari (2,933,293), Kercso et al., (6,132,685), and further in view of Knapp (6,235,685).

The named inventor and the serial number do not correspond with one another.

Correction is required.

CONCLUSION

Accordingly, it is

ORDERED that the application is remanded to the Examiner:

1) to issue a PTOL-90 correctly identifying the reference (in both the Evidence Relied Upon and Grounds of Rejection sections) intended to be used in the rejection of appealed claim 48; and

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- 2) if necessary have the reference scanned into IFW; and
- 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: Patrick J. Nolan
PATRICK J. NOLAN
Deputy Chief Appeals Administrator
(571) 272-9797

PJN/hh

COLEMAN SUDOL SAPONE
714 COLORADO AVENUE
BRIDGEPORT, CT 06605